

REMARKS

All pending claims 6, 7 and 9-17 stand rejected.

Claim Rejection under 35 U.S.C. § 102:

The examiner rejects claims 6 under 35 U.S.C. § 102(e) as being anticipated by Sehr (US 2001/0018660). For the reasons presented below, this rejection is traversed.

In order for a reference to anticipate a claim under 35 U.S.C. § 102, the reference must disclose, either expressly or inherently, every limitation of the claim. *Corning Glass Works v. Sumitomo Elec. U.S.A., Inc.*, 868 F.2d 1251, 1255-56 (Fed. Cir. 1989); *In re King*, 801 F.2d 1324, 1326 (Fed. Cir. 1986). Sehr does not disclose every limitation of claim 6.

Claim 6 recites:

A validator of access to a service by a rechargeable voucher, the validator including:

means for reading the voucher identification number,

means for recharging the voucher by writing into the voucher's recordable data storage means, and

means for storing a list of approved voucher identification numbers representing the vouchers that have been approved for automatic recharge, wherein when a voucher holder presents a voucher to the validator, the validator compares the identification number of the presented voucher to said list of approved voucher identification numbers stored in said means for storing and automatically recharges the presented voucher without any intervention or action by the voucher holder when the identification number of the presented voucher is on said list of approved voucher identification numbers.

(emphasis in bold added). The highlighted limitations of claim 6 require a validator that has a means for recharging the voucher automatically without any intervention or action by the voucher holder. The validator knows when to recharge a voucher presented to it by comparing the identification number of the presented voucher to an approved list of vouchers that is stored at the validator.

In contrast, and contrary to the examiner's assertions, the Sehr reference does not disclose the "means for recharging" and the "means for storing" limitations of claim 6 highlighted in bold above. First, the examiner asserts that paragraph [0077] of Sehr discloses the means for recharging the voucher that is part of the validator. (See para. 8. of the Office Action). On the contrary, paragraph [0077] of Sehr describes the "STATUS TICKET/ACCOUNT" section of the electronic card shown in FIG. 4 of Sehr. The electronic card of Sehr is apparently a computerized card that has various display areas one of which is, "STATUS TICKET/ACCOUNT" that has a "Remaining Balance" field and a "Payment Due" field (See FIG. 4 of Sehr). Paragraph [0077] of Sehr explains that if the payment due is greater than the remaining balance on the electronic card, the cardholder can recharge the card by:

the cardholder paying off at least a portion of the balance owed to a bank and by the bank, reducing in response thereto, the total spending amount accumulated in the card. Or the bank can increase the credit/debit limit for the selected payment form, and store the higher maximum amount into the visitor card to recharge the depleted amounts. The cardholder can also augment the remaining balance by transferring a monetary value from another payment form, or downloading additional payment points, to increase the maximum amount or lower the total spending amount stored in the card.

(See Sehr at paragraph [0077] lines 40-50). Nowhere in this quoted text of paragraph [0077] of Sehr describes a means for recharging the electronic card, the means being part of a validator, as required by the claim 6.

Furthermore, in paragraph [0019], Sehr discloses "[i]t is further an objective of the invention to provide for a method of coupling the ticketing card to a remote database, and for downloading into the card a set of data and information or for communicating to the database selected card data or cardholder information." In this passage, Sehr appears to be describing that the charge or recharge of the electronic card is made while the card is coupled to a remote database, *i.e.* not during the normal use of the card at the validator. This also differs from the validator claimed in claim 6, where the voucher is recharged by the validator automatically "without any intervention or action by the voucher holder when the identification number of the presented voucher is on said list of approved voucher identification numbers."

Claim 1 of Sehr, also being part of the disclosure of Sehr, provides, in its first element: “an issuer database” and “an acceptor database.” Then, in claim 4, Sehr states that the card has to be coupled to the issuer database to store a particular ticketing data into the card. This means that the means for coupling the card to said issuer database are distinct from the means for normally using the card (*e.g.* at the validator). For example, FIG. 1 of Sehr shows an ADMISSION CENTER used for loading appropriate use rights in the cards (see related text at paragraph [0027] of Sehr). Then, the event organizer contains specific read/write devices (12) that is distinct from the ADMISSION CENTER.

Additionally, contrary to the examiner’s assertion, paragraph [0014] of Sehr does not disclose a “means for storing a list of approved voucher identification numbers representing the vouchers that have been approved for automatic recharge” as required by claim 6. Paragraph [0014] of Sehr states:

[i]t is further an objective of the invention to provide for a method of compiling the card data elements, which are also stored and maintained throughout a plurality of remote database components, and of issuing the card to a legitimate cardholder, which is entitled to use the card for a predefined purpose.

That disclosure of Sehr describes some data storage means located “remote” from the locale where the electronic cardholder is trying to access a service. So it does not describe a means for storing” that comprises a validator which is located at the locale where the voucher holder is trying to access a service via the validator as required by claim 6. Additionally, paragraph [0014] of Sehr does not specifically disclose the “means for storing **a list of approved voucher identification numbers representing the vouchers that have been approved for automatic recharge**” as required by claim 6. What Sehr discloses is some generic “card data elements” and “issuing the card to a legitimate cardholder, which is entitled to use the card for a predefined purpose.” That is not “a list of approved voucher identification numbers representing the vouchers that have been approved for automatic recharge.” Although a reference disclosing a specie of a generic claim, such generic disclosure can not anticipate a specific limitation of claim 6.

The examiner then asserts that paragraph [0124] of Sehr discloses “comparing identification numbers of voucher to a list.” That may be true, but Sehr still does not disclose a validator comparing the identification number of the presented voucher to a list of approved vouchers that have been approved for automatic recharge as required by claim 6. Paragraph [0124] of Sehr describes some lists, namely, (1) a list of “all tickets used for admission,” (2) a list of “reserved tickets,” (3) a list of tickets “reserved but not purchased yet,” (4) a list of “tickets paid for, but not used for admission within a predefined time period,” and (5) the list of attendees at an event. None of those lists mentioned in paragraph [0124] of Sehr is a list of vouchers (or electronic cards) approved for automatic recharge by the validator as required by claim 6. And thus, Sehr does not disclose a validator that “compares the identification number of the presented voucher to said list of approved voucher identification numbers” where said “list of approved voucher identification numbers represent[] the vouchers that have been approved for automatic recharge” as required by claim 6.

For the reasons discussed above, the Sehr reference fails to disclose every element of claim 6 and can not anticipate claim 6 under 35 U.S.C. § 102. Withdrawal of the rejection of claim 6 and its allowance is kindly requested.

Claim Rejections under 35 U.S.C. § 103:

Claims 7 and 9-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sehr in view of Bigari (US 5,010,485). For the reasons presented below, these rejections are also traversed.

Claim 7 recites:

A system for managing rechargeable voucher accounts, the system comprising:

a central station for managing the status of the rechargeable voucher accounts and maintaining and updating a first list of approved voucher identification numbers representing a list of vouchers for which the voucher holder has paid for a recharge; and

a plurality of service access validation stations comprising validators, in communication with the central station, the central station periodically

transmitting at least a portion of said first list of voucher identification numbers that have been approved for automatic recharge to at least some selected service access validation stations,

wherein said validator comprises means for storing said first list and when a voucher holder presents a voucher to a validator, said validator compares the identification number of the presented voucher to said first list of voucher identification numbers and automatically recharges the presented voucher without any intervention or action by the voucher holder when the identification number of the presented voucher is on said first list of voucher identification numbers and provides the voucher holder an access to the service.

(emphasis in bold added). The highlighted portion of claim 7 recites a limitation that requires several elements of the validator of claim 6 discussed above in reference to claim 6. And as discussed in detail in reference to claim 6, the Sehr references fails to teach these elements.

Furthermore, claim 7 requires that the validators be “in communication with the central station” and that the “central station periodically transmit[] at least a portion of said first list of voucher identification numbers that have been approved for automatic recharge. . . .” The Sehr reference also fails to disclose such feature of the validators required by claim 7.

In contrast to the examiner’s statement made in rejecting claim 7, the combined teachings of the Sehr reference and the Bigari reference does not teach the invention recited in claim 7. That is because, as presented by the applicant in the Amendment and Response filed on July 5, 2007, the Bigari reference also does not disclose those elements of claims 6 and 7 missing in Sehr.

As presented in the Amendment and Response filed on July 5, 2007, what Bigari discloses is a charge card operation wherein when the charge card holder presents the charge card to a “payment voucher apparatus” the charge card’s identification information along with the maximum charge amount selected by the card owner are transmitted to a remotely located “host institution.” (Bigari at col. 7, lines 9-35 explaining the process shown in FIG. 2). The “host institution” then (not the “payment voucher apparatus”) determines whether the particular charge card’s account has sufficient funding to cover the maximum charge amount. The “host institution” then transmits approval/disapproval signal to the “payment voucher apparatus.” (Bigari at col.

7, line 49 – col. 8, line 5). If the maximum charge amount is approved, the “payment voucher apparatus” prints out a voucher slip that is now approved for purchases up to the maximum charge amount. (Bigari at col. 8, lines 10-22).

As shown by the discussion of the Bigari disclosure presented above, Bigari does not disclose the elements of a validator that automatically recharges the voucher required by claim 7. First, Bigari does not disclose:

a plurality of service access validation stations comprising validators, in communication with the central station, the central station periodically transmitting at least a portion of said first list of voucher identification numbers that have been approved for automatic recharge to at least some selected service access validation stations,

required by claim 7. Secondly, Bigari does not disclose:

wherein said validator comprises means for storing said first list and when a voucher holder presents a voucher to a validator, said validator compares the identification number of the presented voucher to said first list of voucher identification numbers and automatically recharges the presented voucher without any intervention or action by the voucher holder when the identification number of the presented voucher is on said first list of voucher identification numbers and provides the voucher holder an access to the service,

also required by claim 7. The payment voucher apparatus of Bigari does not perform any recharging of the charge card.

Therefore, as presented above, even if the Sehr reference and the Bigari reference can be properly combined, the combined teachings of the two references fails to teach the invention claimed in claim 7 and can not obviate claim 7 under 35 U.S.C. § 103. Withdrawal of the rejection of claim 7 and its allowance are kindly requested.

Claims 9, 10, 11, 13 and 14 depend from claim 7, which is allowable over the combination of Sehr and Bigari references. Thus, claims 9, 10, 11, 13 and 14 are also allowable over those references. Withdrawal of the rejection of claims 9, 10, 11, 13 and 14 and their allowance are kindly requested.

The independent claim 12 recites:

A method for managing the status of rechargeable voucher accounts, the method comprising the steps of:
receiving payments by a central station from rechargeable voucher holders for recharging their vouchers;
(a) **the central station maintaining and updating at least one list of approved voucher identification numbers representing a list of vouchers for which the voucher holder has paid for a recharge;**
(b) **periodically transmitting at least a portion of the list of approved voucher identification numbers from the central station to at least some selected service access validation stations, said validation stations comprising a validator configured to store said list;**
(c) **when a rechargeable voucher holder presents a voucher to the validator to gain access to the service, the validator comparing the identification number of said presented voucher to said list of approved voucher identification numbers stored in the validator;**
(d) **the validator automatically recharging the presented voucher without any intervention or action by the voucher holder when the identification number of the presented voucher is on the list of approved voucher identification numbers; and**
providing the voucher holder an access to the service.

(emphasis in bold and labeling of the claim limitations (a) – (d) has been added for purposes of discussion herein). Through the discussions of the patentability of claims 6 and 7 presented above, the applicant has already shown that the combined disclosures of Sehr and Bigari fails to disclose the limitations (a) through (d) of claim 12.

Therefore, the combined teachings of the cited references Sehr and Bigari fails to teach the limitations (a) through (d) of claim 12 quoted above, the combination of Sehr and Bigari can not obviate claim 12 under 35 U.S.C. § 103. Withdrawal of the rejection of claim 12 and its allowance are kindly requested.

Claims 15-17 depend from claim 12, which is allowable over the combination of Sehr and Bigari references. Thus, claims 15-17 are also allowable over those references. Withdrawal of the rejection of claims 15-17 and their allowance are kindly requested.

Conclusion

For the reasons provided above, the applicant believes that the pending claims 6, 7 and 9-17 are allowable over the prior art of record. Reconsideration of the present application, withdrawal of the rejections and allowance are kindly requested.

Respectfully submitted,

Dated: November 19, 2007

/Won Joon Kouh/
Won Joon Kouh
Registration No. 42,763
An attorney for the applicant

PTO Customer No. 28581
DUANE MORRIS LLP